

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, APRIL 30, 2003**

**UNAPPROVED DRAFT**  
**Completed May 30, 2003**  
**13 pages**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
John B. Kelso, Lee District  
Ronald W. Koch, Sully District  
Ilryong Moon, Commissioner At-Large  
Peter F. Murphy, Jr., Springfield District  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

//

The meeting was called to order at 8:18 p.m. by Chairman Peter F. Murphy, Jr.

//

**COMMISSION MATTERS**

Chairman Murphy recognized and thanked Ms. Helen Darby for her service to Fairfax County since 1987, especially the last eight years as Associate Clerk, then Deputy Clerk/Receptionist for the Planning Commission Office. He announced that Ms. Darby would be retiring on Friday, May 2, 2003 and introduced the members of her family in the audience.

//

**RZ-2002-MV-040 - SPRING HILL SENIORS, LLC**  
**FDP-2002-MV-040 - SPRING HILL SENIORS, LLC** (Decisions Only)

(The public hearing on these applications was held on April 24, 2003. A complete verbatim transcript of the decisions made is in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ-2002-MV-040 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE DRAFT PROFFERS DATED APRIL 29, 2003.

Commissioners Hall and Wilson seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2002-MV-040, SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND CDP.

Commissioners Hall and Wilson seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE A WAIVER OF THE LIMITATION ON THE LENGTH OF PRIVATE STREETS, PURSUANT TO THE PROVISIONS OF PARAGRAPH 3, SECTION 11-103 OF THE ZONING ORDINANCE.

Commissioners Hall and Wilson seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD APPROVE A VARIANCE IN THE PDH DISTRICT TO ALLOW A SIX-FOOT TALL FENCE IN A FRONT YARD ALONG SILVERBROOK ROAD, PURSUANT TO THE PROVISIONS OF SECTION 18-401.

Commissioners Hall and Wilson seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO GRANT A MODIFICATION OF THE TREE COVER REQUIREMENTS, PURSUANT TO PARAGRAPH 1 OF SECTION 13-404.

Commissioners Hall and Wilson seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.

Commissioner Byers MOVED THAT THE SITE PLANS AND/OR SUBDIVISION PLATS BE RETURNED TO THE PLANNING COMMISSION FOR ADMINISTRATIVE REVIEW AND COMMENT.

Commissioners Hall and Wilson seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and DuBois abstaining.

//

FS-V03-8 - FAIRFAX COUNTY PUBLIC SCHOOLS -Silverbrook Road, Laurel Crest Drive

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF IN THE DETERMINATION THAT THE PROPOSED HIGH SCHOOL FACILITY

PROPOSED BY THE FAIRFAX COUNTY PUBLIC SCHOOLS FOR A PORTION OF THE LAUREL HILL PROPERTY, LOCATED SOUTH OF SILVERBROOK ROAD NEAR LAUREL CREST, BE FOUND IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioners Kelso and Wilson seconded the motion which carried unanimously.

//

FS-V03-7 - FAIRFAX COUNTY PARK AUTHORITY - 8515 Silverbrook Road

Commissioner Byers MOVED THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S RECOMMENDATION AND APPROVE FS-V03-7.

Commissioners Kelso, de la Fe and Wilson seconded the motion which carried unanimously.

//

FSA-L98-7-2 - AT&T - 3701 Franconia Road

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" AMENDMENT DETERMINATION IN FSA-L98-7-2.

Commissioners Byers and Wilson seconded the motion which carried unanimously.

//

FS-L03-1 - FAIRFAX COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY  
AND METROCALL - 8350 Richmond Highway

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-L03-1.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-S02-27 - VERIZON - 5755 Revercomb Court

Commissioner Murphy MOVED THAT WE CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S02-27.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-S03-3 - SPRINT PCS - 4035 Ridgetop Road

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S03-3.

Commissioner Byers seconded the motion which carried by a vote of 11-0-1 with Commissioner Kelso abstaining.

//

Commissioner Alcorn announced that the Environment Committee would hold a meeting on May 7, 2003 at 7:30 p.m. in the Board Conference Room to discuss air quality issues. He noted that members of the Transportation Advisory Commission and the Environmental Quality Advisory Council would also attend.

//

ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. RZ-002-SP-032 - LANDMASTER CORP.
2. ZONING ORDINANCE AMENDMENT (New Vehicle Storage)
3. RZ-2002-SU-039 - OMR, LLC  
FDP-2002-SU-039 - OMR, LLC
4. CHESAPEAKE BAY AMENDMENTS (Chapters 101, 104, 112, 118 and PFM)

This order was accepted without objection.

//

Prior to the hearing of this case in the Springfield District, Vice Chairman Byers assumed the Chair.

//

RZ-2002-SP-032 - LANDMASTER CORP. - Appl. to rezone from C-8, I-5, R-C and WS to I-5, R-C and WS to permit industrial development for vehicle storage. Located approx. 100 ft. N. of the Norfolk Southern Railway and E. of Hill St. on approx. 2.04 ac. of land. Comp. Plan Rec: Retail and other related uses; Residential 0.1-0.2 du/ac. Tax Map 77-1 ((1)) 2, 3 and 5. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Lubeley, Emrich and Terpak, reaffirmed the affidavit dated February 26, 2003. There were no disclosures by Commission members.

Commissioner Murphy called attention to the new proffers submitted tonight, noting that the only change was in Proffer 2a to add the phrase "that are operational, licensed and registered" to the description of the types of vehicles and equipment allowed to be parked on the site.

Mr. Bill Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Martin explained that the subject property had been a problem in the Springfield District for a long time and the applicant was in the process of cleaning up and developing the site by right when it was discovered that the driveway would cross a small sliver of land zoned C-8, necessitating this rezoning application. He added that, with the change to Proffer 2a as described by Commissioner Murphy, all issues identified by staff had been addressed.

Vice Chairman Byers called the first listed speaker and recited the rules for public testimony.

Mr. Jon Holland, 5803 Fairview Woods Drive, Fairfax Station, representing the Fairview Woods Homeowners Association, expressed his opposition to the application based on the noise and traffic associated with the proposed use.

In response to questions from Commissioner Byers, Mr. Holland acknowledged that the property was industrially zoned and was approximately 150 to 200 feet away from the nearest home in his subdivision.

Commissioner Murphy explained that this application would contribute to the redevelopment efforts in this area of the Springfield District which had a wide variety of zoning districts in close proximity to one another.

In response to a question from Commissioner Murphy, Mr. Holland said he had visited the site, that it appeared to be mostly open space and that he would like to see it stay that way.

Commissioner Murphy noted that there were three separate uses operating on the site now and that the applicant's proposal would greatly improve the current situation. He noted that there were quite a few more objectionable uses that could be allowed by right, without benefit of a public hearing and without any proffers.

In response to a question from Commissioner Hall, Mr. Mayland explained that Proffer 2 limited the use allowed on site if this rezoning application was approved to that of a storage yard for contractors' vehicles and equipment.

Mr. Ricardo Jimenez, 5810 Fairview Woods Drive, Fairfax Station, was also opposed to the application. He spoke about problems with repairs being done at night and noise from trucks backing up.

Commissioner Murphy sympathized with Mr. Jimenez's complaints and suggested that he contact Zoning Enforcement to report violations of the Noise Ordinance.

In response to questions from Commissioners Hall and Byers, Mr. Mayland stated that there were no limits on the hours of operation in the proffers and staff could not impose them. He added that vehicle maintenance was an allowed use by right in the I-5 District, but it was his understanding that the applicant did not intend to maintain vehicles on-site.

Commissioner Murphy noted that there were nearby properties not subject to this application that unfortunately stored unregistered, inoperable vehicles, which is why he specifically requested the addition of the clause to Proffer 2a. He stated that Proffer 2a restricted the applicant's use to a storage yard for contractors vehicles and equipment, and that maintenance was not included.

In response to questions from Commissioner Hall, Mr. Martin said the typical hours of operation were dawn to dusk, but pointed out that snow removal in winter was frequently done overnight so that roads would be clear for rush hour traffic in the morning. He confirmed that no on-site maintenance was intended and said that a proffer to clarify that could be added.

In reply to a question from Commissioner Byers regarding noise, Mr. Martin pointed out that there were railroad tracks between the subject property and Fairview Woods.

There were no further comments or questions from the Commission and Mr. Mayland had no closing staff remarks, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action on this application. (A verbatim transcript is in the date file.)

//

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-2002-SP-032, SUBJECT TO THE PROFFERS DATED APRIL 29, 2003.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Wilson not present for the vote.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS IN ACCORDANCE WITH THE GENERALIZED DEVELOPMENT PLAN.

Commissioners Koch and Hall seconded the motion which carried unanimously with Commissioner Wilson not present for the vote.

//

At the conclusion of this application, Chairman Murphy resumed the Chair, but noted that he needed to attend a meeting in the Board Conference Room and therefore asked Secretary Harsel to Chair the meeting until his return.

//

ZONING ORDINANCE AMENDMENT (New Vehicle Storage) - To amend Chapter 112 of the Zoning Ordinance as follows: Establish a new use of new vehicle storage to be allowed by right, subject to use limitations, in the C-3, C-4, C-6, C-7, C-8, C-9, I-3 and I-4 Districts and in the PDC District when shown on an approved development plan, and in the I-5 and I-6 Districts. PUBLIC HEARING.

Ms. Jayne Collins, Zoning Administration Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the language on page 4 through 7 of the staff report.

In response to questions from Commissioner Harsel, Ms. Collins explained that the new regulations only applied to existing parking structures.

Secretary Harsel called for speakers from the audience, but received no response. She noted that no rebuttal was necessary. There were no comments or questions from the Commission or closing staff remarks, therefore she closed the public hearing and recognized Commissioner Alcorn for action on this item. (A verbatim excerpt is in the date file.)

//

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING NEW VEHICLE STORAGE AS ADVERTISED AND SET FORTH IN THE STAFF REPORT DATED MARCH 24, 2003, WITH AN EFFECTIVE DATE OF 12:01 A.M. ON THE DAY FOLLOWING ADOPTION BY THE BOARD OF SUPERVISORS.

Commissioners Hall and de la Fe seconded the motion which carried unanimously with Commissioners Byers, Murphy and Wilson not present for the vote.

//

RZ-2002-SU-039/FDP 2002-SU-039 - OMR, LLC - Appls. to rezone from R-1 and WS to PDH-3 and WS to permit residential development at a density of 1.98 dwelling units per acre (du/ac) and approval of the conceptual and final development plans and to permit a waiver of the open space requirements. Located on the N. side of Mount Olive Rd., approx. 800 ft. W. of its intersection with Old Mill Rd. on approx. 11.65 ac. of land. Comp. Plan Rec: 2-3 du/ac. Tax Map 65-1 ((1)) 22, 27, 27A, 28 and 32. SULLY DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Lubeley, Emrich and Terpak, reaffirmed the affidavit dated January 13, 2003. There were no disclosures by Commission members.

Mr. Fran Burnszynski, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Ms. Strobel explained that the applicant's proposal for 22 homes on approximately 11 acres, resulting in a density of 1.94 dwelling units per acre, was in harmony with the Comprehensive Plan recommendations.. She noted that the development plan had been revised several times to address concerns expressed by staff and citizens, and that the application, with its accompanying proffer package, now had the support of both staff and the Western Fairfax County Citizens Association (WFCCA). Ms. Strobel listed the amenities to be provided, such as transportation and drainage improvements, a passive recreation area with trails and benches, a commitment to quality design elements and preservation of an existing cemetery. She added that the applicant was also offering a contribution for schools, even though WFCCA suggested that the money should be targeted to additional road improvements.

Commissioner Koch thanked Ms. Strobel and the applicant for its commitment to preservation of the cemetery and commented that the contribution for schools should not be diverted to roads.

Ms. Strobel responded to questions from Commissioner Smyth concerning disclosure of obligations to prospective homeowners.

Secretary Harsel called the first listed speaker.

Mr. Ron Rabbu, 14527 Meeting Camp Road, Centreville, representing Confederate Ridge II Homeowners Association, expressed his concern about the impact of the proposed development on stormwater drainage. He noted that he and his neighbors had been working with the applicant and thanked them for their cooperation. He added, however, that there were severe flooding problems in the area and suggested that more time was needed to resolve this issue.



Mr. Rabbu and Mr. Mario Travi, 6865 Muskett Way, Centreville, also a resident of Confederate Ridge II, responded to questions from Commissioners Koch, Hall and Smyth regarding the existing stormwater situation and the applicant's plans to mitigate its impact.

There were no additional speakers, therefore Secretary Harsel called on Ms. Strobel for a rebuttal statement.

Ms. Strobel said that the applicant was certainly willing to continue working with citizens. She noted that there was a regional stormwater management pond to the south of the subject property with sufficient capacity to handle runoff from the proposed development. She added that the applicant was volunteering a contribution of \$15,000 for improvements to the existing channel.

Ms. Strobel and Mr. Steve Gleason, engineer for the applicant, responded to questions from Commissioners de la Fe, Smyth, Koch, and Harsel regarding the condition of the channel and improvements needed.

There were no further comments or questions from the Commission and Mr. Burnszynski had no closing staff remarks, therefore Secretary Harsel closed the public hearing and recognized Commissioner Koch for action on this application. (A verbatim transcript is in the date file.)

Commissioner Murphy returned to the room, but did not resume the Chair at this time.

//

Commissioner Koch MOVED THAT WE DEFER, FOR DECISION ONLY, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, APPLICATIONS RZ/FDP-2002-SU-039 TO MAY 7, 2003.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Murphy abstaining; Commissioners Alcorn, Byers and Wilson not present for the vote.

//

Chairman Murphy resumed the Chair and called for a recess. The Commission went into recess at 9:55 p.m. and reconvened in the Board Auditorium at 10:10 p.m. for the last public hearing.

//

CHESAPEAKE BAY AMENDMENTS - Chapter 101 (Subdivision Ordinance), Chapter 104 (Erosion and Sedimentation Control Ordinance), Chapter 112 (Zoning Ordinance), and Chapter 118 (Chesapeake Bay Preservation Ordinance), and the Public Facilities Manual - To consider amendments necessary to align

existing ordinances and the Public Facilities Manual with changes to the Chesapeake Bay Preservation Area Designation and Management Regulations (9 VAC 10-20 et seq.). The amendments propose changes to the requirement for designation of certain areas as Resource Protection Areas (RPAs) that will result in an expansion of areas so designated, changes to the performance criteria for development and redevelopment in Resource Protection Areas and Resource Management Areas; changes in the information to be provided with plans of development; and changes to the procedures and criteria for the granting of exceptions to the requirements of the Chesapeake Bay Preservation Ordinance. For some of the amendments two options are proposed. The amendments also propose changes to fees, which are charged under Chapters 101, 104 and 112 of the County Code to review Chesapeake Bay Preservation Ordinance exceptions for plats and plans. The authority for the imposition of fees in Chapter 101 derives from Virginia Code Section 15.2-2241.9; the authority for the imposition of fees in Chapter 104 derives from Virginia Code Section 10.1-562(I) and the authority for the imposition of fees in Chapter 112 derives from Virginia Code Section 15.2-2286.A.6. The proposed amendments to Chapters 101, 104, and 112 would imposed the following fees: 1) Additional fee of \$100-\$250 in Chapters 101, 104, and 112 for exception requests requiring a public hearing to cover costs associated with the hearings; 2) elimination of the exemption in Chapter 101 from the payment of the \$500 fee for review of exception requests submitted pursuant to Section 118-6-9 of the Chesapeake Bay Preservation Ordinance; 3) elimination of the exemption in Chapter 112 from the payment of the \$500 fee for review of exception requests submitted pursuant to Sections 118-6-7 and 118-6-9 of the Chesapeake Bay Preservation Ordinance; and, 4) elimination of the exemption in Chapter 104 from the payment of the \$115 fee for review of exception requests submitted pursuant to Sections 118-6-7 and 118-6-9 of the Chesapeake Bay Preservation Ordinance. PUBLIC HEARING.

Mr. John Friedman, Code Analysis Division, Department of Public Works and Environmental Services (DPWES), presented the staff report and addendum, copies of which are in the date file. He explained that the major changes made since the last public hearing on this matter had been grouped by staff into the following six categories: 1) vesting; 2) perennial streams; 3) exception review committee; 4) exceptions; 5) appeals; and 6) effective date. Mr. Friedman elaborated upon each of these categories, noting that the language of the proposed amendments was outlined in Appendix C of the staff report addendum and that where alternatives were offered, staff recommended the first one listed.

Chairman Murphy called the first listed speaker and reminded the audience of the rules for public testimony.

Commissioner Alcorn announced his intention to defer decision on these amendments.

Mr. J. C. Richards, representing the Northern Virginia Associations of Realtors, 8411 Arlington Boulevard, Fairfax, said that the amendments were well intended, but he expressed doubt that the full economic impact on property values had been considered. He suggested that more time was needed to investigate this issue. (A copy of Mr. Richards' statement is in the date file.)

Mr. Friedman responded to questions from Commissioner Alcorn about property values.

Mr. Frank Crandall, 900 Turkey Run Road, McLean, representing both the McLean Citizens Association and the Environmental Quality Advisory Council, supported the proposed amendments. He noted that the provisions for waivers and exceptions would prevent significant impact on the value of individual properties and that any small diminishment of property value would be offset by an increase in the quality of life. He suggested that the Exception Review Committee should consist of seven appointees; three from the Department of Planning and Zoning and four from the citizenry at large. He supported the proposed protocol for defining perennial streams and stated that a detailed analysis could be done on a case-by-case basis.

Mr. Cliff Fairweather, representing the Audubon Naturalist Society, 12829 Chestnut Street, Clifton, supported the proposed amendments, which he said provided important protections to County streams, including a more accurate method of identifying perennial streams and an improved process for exceptions to Ordinance regulations.

Mr. Michael Rolband, Wetlands Studies and Solutions, 14088-M Sullyfield Circle, Chantilly, representing the National Association of Industrial and Office Properties (NAIOP), agreed that changes were needed, but felt that more time should be spent to work out the details. For example, he said the manner in which affected homeowners were notified should be investigated further. He supported Option 2 for resource protection areas, Option 1 for the Exception Review Committee, and Option 1 for the appeals process. (Details of Mr. Rolband's comments may be found in his 12-page letter and accompanying maps in the date file.)

Mr. Rolband responded to questions from Commissioners Smyth and Alcorn regarding his position.

Mr. Frank Ojeda, 5280 Chandley Farm Circle, Centreville, supported the proposal, especially Option 2 regarding the Exception Review Committee. On the notification issue, he suggested that a public education program should be developed to inform citizens of the new regulations.

Mr. Patrick Kessler, P. O. Box 1214, Newington, a civil engineer with GJB Engineering, also expressed concern about notifying affected homeowners. He concurred with Mr. Rolband that more time was needed to refine the regulations and suggested that 30 days be allowed for appeals to be filed rather than 15 days as currently proposed.

Commissioner Smyth and Mr. Friedman discussed the proposed appeal process and how the 15-day limit was calculated. Commissioner Smyth suggested that a policy should be established to ensure consistency.

In response to a question from Commissioner Wilson, Mr. Friedman said he had no objection to extending the appeal period deadline to 30 days, with the understanding that it would delay implementation of the decision.

Mr. Jim Scanlon, 10512 Sideburn Court, Fairfax, said the new regulations were not ready to be implemented. He questioned the protocol proposed and asked how it could be determined where a perennial stream began if a clear starting point such as a spring was not in evidence. He concurred with Messrs. Rolband and Kessler that more time was needed to consider the amendments.

Mr. Scanlon responded to questions from Commissioner Alcorn regarding his position.

Mr. Mark Trostle, 11187 Tattersall Trail, Oakton, supported the comments and points made by Mr. Rolband and the position taken by NAIOP.

Mr. Matthew Kroll, engineer for Renaissance Housing, 12030 Sunrise Valley Drive, Suite 170, Reston, commented on tonight's speakers, noting that the majority represented various aspects of the development community. He said that more effort was needed to inform the general public of these proposed far-reaching changes.

A discussion took place among the Commission and Mr. Friedman about the various methods of notifying citizens. Mr. Friedman explained how information on new Zoning Ordinance regulations was distributed to industry leaders. Commissioner Alcorn suggested that a section be added to DPWES' website to flag Ordinance changes.

Mr. Greg Budnik, 8309 Telegraph Road, Lorton, owner of GJB Engineering and President of the Newington Civic Association (NCA), also expressed concern about the notification process. He said that he had not received word of this public hearing through his position as President of NCA, but through his employment with GJB. He commented on the hundreds of acres of land held as open space in the name of HOAs throughout the County, the majority of which had not been notified about this public hearing, but whose land could be severely impacted by the proposed changes. Mr. Budnik also supported a 30-day limit for appeals.

Another discussion regarding notification took place. Commissioner Murphy commented that Congress did not notify every citizen of the United States every time a law was passed; that citizens themselves had some responsibility to stay informed. Commissioner Alcorn noted that these proposed amendments had been well advertised and discussed for several months. He pointed out that this was, in fact, the second public hearing on the subject.

CHESAPEAKE BAY AMENDMENTS  
(Chapters 101, 104, 112, 118 and PFM)

April 30, 2003

Mr. Friedman had no closing staff comments, therefore Chairman Murphy closed the public hearing and recognized Commissioner Alcorn for a deferral motion. (A verbatim excerpt is in the date file.)

//

Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON THE PROPOSED AMENDMENTS TO THE CHESAPEAKE BAY ORDINANCE AND OTHER ORDINANCES, CHAPTERS 101, 104, 112, 118 AND THE PUBLIC FACILITIES MANUAL, TO A DATE CERTAIN OF MAY 7, 2003.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Byers, Hall, and Harsel not present for the meeting.

//

The meeting was adjourned at 12:00 a.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on:

---

Mary A. Pascoe, Clerk to the  
Fairfax County Planning Commission